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ABSTRACT

A series of four policy seminars was held in 1999 to discuss suggestions to ensure that Latino children reap the benefits of standards-based accountability and to illuminate related issues for the educational system. This report summarizes those seminars. The first was "Educational Standards, Assessment and Accountability: A New Civil Rights Frontier," a session that laid the groundwork for subsequent discussions of the standards movement and its impact on the educational attainment of Hispanic students. The second seminar, titled "Assessment as a Learning Tool: From Hope to Reality" included a discussion of testing practices and accountability systems that promote educational excellence. The third seminar, "Current Policies and Practices in Assessing English Language Learners," focused on the controversy that continues to surround language in the United Sates and the impact of national, state, and local policies and effective practices on Latino students. The final seminar, "A Look at Current State Practices," focused on the efforts of state and local policymakers and the challenges they face as states progress toward full implementation of educational reform. This summary synthesizes information and recommendations from all of the seminars and identifies promising and worrying trends in educational policy and practice affecting Latino students. (SLD)

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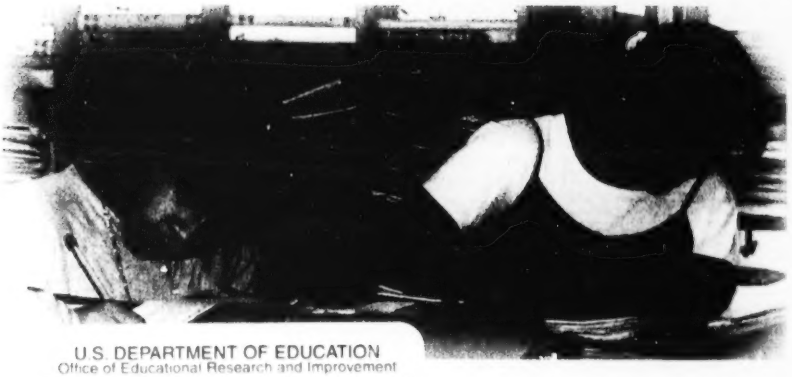
WHITE HOUSE INITIATIVE ON EDUCATIONAL EXCELLENCE FOR HISPANIC AMERICANS

EDUCATIONAL STANDARDS, ASSESSMENT AND ACCOUNTABILITY:

A NEW CIVIL RIGHTS FRONTIER

SUMMARY OF POLICY SEMINAR SERIES
SEPTEMBER 2000



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The White House Initiative on Educational Excellence for Hispanic Americans would like to thank the staff and student body of Gertrude Leal Elementary School in Mission, Texas, for the use of the photograph on this cover.

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White House Initiative on Educational Excellence for Hispanic Americans

Educational Standards, Assessment and Accountability: *A New Civil Rights Frontier*

Summary of policy seminar series
September 2000

The policy seminar series was held in cooperation with the Office for Civil Rights, U.S. Department of Education

The purpose of this seminar series is to discuss publicly suggestions to ensure that Latino children reap the benefits of standards-based accountability, while also illuminating those issues for consideration by the educational system that serves Latino children —Sarita Brown, executive director, White House Initiative on Educational Excellence for Hispanic Americans

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National Policy Discussion on Assessment

Accountability measures for schools, teachers and students—linked to an expectation that all students can achieve to high standards—hold significant promise for our nation's youth, particularly Hispanic youth. The White House Initiative on Educational Excellence for Hispanic Americans recognizes the importance and value of standards-based accountability.

Despite the potential of meaningful reforms to benefit all children, however, the White House Initiative is increasingly concerned—indeed, at times, alarmed—over the implementation of some state education systems' reforms. In particular, the rush to establish a statewide test as a single measure of coursework mastery is of great concern. In many cases, Latino students will be held accountable even if they have not had the kind of instruction or academic support they need to allow them to succeed. This problem is particularly notable and unacceptable given that other students—often, not minorities—who are held to the same standard have access to a different support system: exemplary curricula, well-trained teachers and learning environments that foster academic success.

To understand more about the implementation and impact of standards, assessment and accountability on Latino students, the White House Initiative launched a four-part series of policy seminars in 1999. This series was offered in cooperation with the Office for Civil Rights of the U.S. Department of Education, and facilitated discussion among state and local education leaders, legal scholars and education experts from around the country. The series was intended to create a public dialogue about the advantages and challenges of using standards-based tests on Hispanic students and to provide information on some promising practices. Following is a description of each of the four policy seminars. Each seminar was moderated by Sarita E. Brown, executive director of the White House Initiative on Educational Excellence for Hispanic Americans.

Educational Standards, Assessment and Accountability: A New Civil Rights Frontier

This seminar laid the groundwork for subsequent discussions on the standards movement and its impact on the educational attainment of Hispanic students from national, legal and political perspectives.

Panelists: *Norma Cantú*, assistant secretary, Office for Civil Rights, U.S. Department of Education; *Robert Schwartz*, president, Achieve, Inc.; and *Raymund Paredes*, vice chancellor, University of California-Los Angeles.

Assessment as a Learning Tool: From Hope to Reality

This seminar addressed the use of assessments as a learning tool and included a discussion of testing practices and accountability systems that promote educational excellence.

Panelists: *Sonia Hernandez*, deputy superintendent, California Department of Education, and member, President's Advisory Commission; *Ana Maria Schuhmann*, dean, School of Education, Kean University, Union, New Jersey; and *Arthur L. Coleman*, deputy assistant secretary, Office for Civil Rights, U.S. Department of Education.

Current Policies and Practices in Assessing English Language Learners

This seminar addressed the controversy that continues to surround language in the United States and its impact on English Language Learners. Panelists discussed the impact of current national, state and local policies as well as effective practices that promote educational excellence for all students.

Panelists: *Delia Pompa*, director, Office of Bilingual Education and Minority Languages Affairs, U.S. Department of Education; and *Mary Ramirez*, director of Language Equity Issues, School District of Philadelphia, Pennsylvania.

A Look at Current State Practices

This seminar focused on the efforts of state and local policymakers and the challenges they face as states progress toward full implementation of education reform. Panelists described current strategies to provide all students in their system, and specifically His-

panic students, with equal and equitable access to rigorous academic standards and instruction.

Panelists: *Norma Cantú*, assistant secretary, Office for Civil Rights, U.S. Department of Education; *Joyce Benjamin*, associate superintendent, Oregon Department of Education; *Jessie Montaño*, assistant commissioner, Office of Teaching, Minnesota Department of Children, Families, and Learning; *Linda Mora*, assistant commissioner for accountability and assessment, Texas Department of Education; and *Susan Scalifoni*, chief of staff for educational services, Houston Independent School District, Texas.

Policy Seminar Series Summary

The national policy discussion on assessment complements work by the President's Advisory Commission on Educational Excellence for Hispanic Americans and its Assessment Committee co-chaired by Erlinda Archuleta and Sonia Hernandez. In September 1999, the commission released its prelimnary report *Testing Hispanic Students in the United States: Technical and Policy Issues* and provided a media briefing of its findings.

The summary of the policy seminar series provides many of the observations and concerns raised during discussion. It is intended to highlight state and local practice and prompt policies that advance fair and equitable accountability efforts that ultimately lead to educational excellence for all students, particularly Latino youth and those with limited English proficiency.

> The purpose of this public discourse is to ensure that Latino children reap the benefits of standards-based reform. Focusing on methods of accountability that serve the learning of Latino children, we hope to make the promise of return real. —Sarita E. Brown, executive director, White House Initiative on Educational Excellence for Hispanic Americans

The Education of Hispanics

The education of Hispanic students creates a great opportunity and an increasing challenge for schools throughout the United States. It

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is projected that by the year 2010, the Hispanic population will comprise the largest minority and one of the youngest population groups in the United States. Today (2000), Latino students compose about 15 percent of the K-12 population, and it is expected that by 2025, they will represent about 25 percent of that population. California, Texas and Florida serve the highest concentration of Latino students and in some of their school districts Latinos are already the majority.

While the Latino population continues to grow, the educational attainment of the Hispanic community continues to lag behind the rest of the nation, on average. The achievement gap between Hispanic students and their peers is the result of multiple factors, among them their low participation in pre-school programs, segregation in "resource poor" schools, low expectations by school personnel, high drop-out rates, low family incomes and limited English proficiency.

It should be made clear that not all Latino students are "limited English proficient" or "English language learners." However, according to the National Center for Education Statistics, in 1998 about 75 percent of English language learners were Hispanic. This factor complicates the assumptions and expectations the education community has regarding Latino students.

What can be done to ensure that all Latino students graduate from high school, graduate from college, and secure high-skill, high-wage jobs in the next century? A combined effort involving parental involvement, adequate education resources, quality teaching and student support services are all essential. Another crucial element that can contribute to the improved educational attainment of Latino students is an equitable and quality education system that is responsive to their academic needs.

For the past several years, the nation has engaged in a movement to set standards for what students should know and be able to do aligned to appropriate instruction and measures that provide valid indicators

of student performance. This movement provides both great opportunities and challenges for school systems to serve Latino students well.

The Standards Movement

The standards movement is an attempt to refocus schools on their core academic mission, to bolster student skills and knowledge, and establish a powerful way of holding schools, students and teachers accountable for students achieving to high standards. In principle, states and school districts can identify what students are able to do at discrete points during their education by setting standards. In turn, educators, policymakers and the public can can use standards to determine whether students and schools are meeting expected outcomes and how much progress schools and teachers are making in helping students meet the standards.

Setting High Standards for All Students

Setting high standards for all students publicly recognizes and affirms that all students have the ability to achieve to high levels. Standards and accountability are powerful vehicles that can help close the performance gap between white and minority students and between rich and poor school districts. Assessment and accountability tools help define how far and how fast we need to go to improve student achievement so that no student is left behind. When used appropriately, these tools describe deficiencies that need to be remedied, help evaluate and explain the effects of various interventions, and help determine which effective program features can lead to ongoing, continuous improvement.

However, setting high standards for "all" students is not to be interpreted as a "one size fits all" remedy. We know, through historical experience, that equal does not necessarily mean equitable. As for other minority populations, the fewer and lesser resources to which the Latino population has access and the resulting limitations in education opportunities directly impact education outcomes. For this

reason, efforts to develop aligned curriculum, instruction and assessment models with adequte resources that address this population's various needs are key to academic success.

Given that the only element in the standards-based system that is a fixed variable is the standard, every other feature—curriculum, instruction, and assessment—should be adjusted appropriately to meet the need of every student served by the system.

The Promise of Standards-Based Reform

For standards to be effective, states and local school districts must invest appropriate resources to ensure that all students are provided with equitable opportunity to meet rigorous and challenging standards in all content areas. In standards-based reform, **content standards** are locally developed statements about what students must know and be able to do in academic disciplines such as English, mathematics, science and social studies. **Performance standards,** set by states and local school districts, measure how well students should be expected to demonstrate their knowledge and skills in reaching content standards.

One of the most promising features of the standards movement is that it holds schools accountable for how well they can demonstrate improvement in academic achievement. Accountability measures are helping to examine progress being made in schools, by individual students and by groups of students, including low-income and minority student populations. These measures can help identify what methods are working or need improvement, determine what targeted interventions might be made when progress toward the standards is lagging, and outline the kinds of steps that should be taken when schools chronically fail. As part of the standards movement, states and school districts are now evolving their management and motivation of schools and educators to improve results for a broader range of students.

States and school districts are increasingly moving toward assessing students on the knowledge and skills they are expected to acquire. They are developing and implementing a variety of approaches to measure performance, including standardized tests, portfolios and other forms of assessment activities that require students to not only choose the best answer, but also explain the reasoning behind the answer. These performance assessments allow students to demonstrate—and teachers to accurately describe—what students know.

As a tool of accountability, comprehensive assessment systems have a number of invaluable uses: they help determine how resources should be spent; provide a program evaluation of districts and schools; identify schools in need of improvement; and highlight the need for more professional development. These assessments are also intended as a tool to inform teaching and learning.

To assess student performance, experts are currently developing standards-based tests. However, some of these tests are being used to determine grade advancement or graduation. This use of tests for "high stakes" has many educators and policymakers concerned about the accurate use of tests and how they are being implemented, interpreted and reported, particularly for Latino students who are at risk and/or still learning the English language. These tools have not been "stress tested" with English language learners; yet, in some cases, students are being negatively impacted by high-stakes test use. This use is of great concern. Tests were never intended to penalize students.

The National Context: Avoiding Backlash to Standards

Discussions on equitable assessment of performance for students whose native language is not English are particularly timely and important. Education leaders are worried about the backlash to standards as large percentages of students, not just minority or low-income students, fail state standards-based tests. While the nation demands a new age of accountability for all, the education community

is also plagued by backlash resulting from the concern of teaching to tests rather than teaching students to learn, and provisions that allow the exclusion of Limited English Proficient (LEP) students in tests.

At the 1999 National Education Summit, the nation's governors, together with education and business leaders, launched a re-examination of the effectiveness of the standards movement. They began to address problems likely to arise now that 48 of the 50 states had approved standards to hold students accountable for what they should know.

In New York, for example, fewer than half of the state's fourth-graders met competency standards on the state's performance-based reading and writing test. The test was developed as part of an effort to raise standards for all students in the state. In fact, in New York City, which enrolls more than a third of the state's public school students, two-thirds of the testtakers did not meet the minimum standards.

In Virginia, officials have raised the stakes for students with new accountability measures (Standards of Learning). Starting in 2004, students will need to pass an exam in order to graduate. By 2007, low-performing schools will lose accreditation if 70 percent of their students fail to pass the exit exam. However, Virginia has a long way to go in meeting its goals. In January 1999, the state announced that in 97 percent of public schools 70 percent or more students failed the new state exam. In the first round of high-stakes testing done in spring 1998, only 39 of the state's 1,800 schools (2.2 percent) met the performance goals on exams linked to the state's Standards of Learning. Given that the majority of schools are failing the exam, there is concern that students rather than schools will be held accountable.

With rigorous assessments being introduced across the nation, many more students from all parts of the country and in all categories may fail standards-based tests, and states as well as school districts will have to address the fallout. In particular, as we experience a decline

in the test results among the previously defined "best" students, we must be concerned with the likely effect of these tests on students who have struggled to move from grade to grade or even to stay in school. Efforts to introduce high-stakes testing without paying attention to the education needs of minority and low-income populations could result in a wider, rather than decreased achievement gap.

Some observers note that progress in raising achievement for minority students is a key part of a state's accountability system. Only a few states, such as Texas and North Carolina, stand out for making progress in closing the performance gap revealed by the scores of minority and disadvantaged students on statewide exams.

In Texas, for example, the passing rate for Hispanics on the Texas Assessment of Academic Skills (TAAS) rose 21 percent—from 41 percent to 62 percent—between 1994 and 1997. Texas students also made the most dramatic gains among the 39 states that participated in the fourth-grade math portion of the 1996 National Assessment of Educational Progress (NAEP). Texas' 11-point overall improvement in scores was the largest of any state in the nation. Further, the state's black and white students had the highest average scores of any state, while its Hispanic students ranked sixth among Latinos in any state. Researchers are studying these gains and reviewing some of their impacts and consequences on learning for these students.

Standards and Parent Involvement

> Accountability is the biggest hope for parents to push for their children, giving them information to ask how their children are doing and why.—Delia Pompa, director, Office of Bilingual Education and Minority Languages Affairs.

Under a standards-based approach, schools must respond to the needs of individual students so they do not fall behind academically. This approach can lead to more direct intervention and assistance for students who need it the most. However, this approach will have limited success without parental involvement in children's education.

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Standards create an accountability mechanism for parents so they can monitor their child's education. But too often, parents, especially Latino parents, are not encouraged to participate. In a school system unfamiliar to them, they may not know how to get involved or even what questions to ask to monitor or facilitate their child's education.

> We need to know more about how tests are being used and the quality of the tests being implemented...We need to know that tests are valid and reliable and are used for the purposes for which they were designed. We must be sure the tests have been fully evaluated and are appropriate for the new uses states are considering.—Sonia Hernandez, commissioner and California's deputy superintendent of public instruction.

Parents should pose the following four questions to those managing their children's schools:

1. If you test my child against standards, can you assure me that his or her teachers actually taught the material that the test measures?
2. Can you assure me that my child's teachers are able to teach the content applicable to the standards and that they have been properly trained and placed?
3. If my child is in danger of not meeting the standards and there will be consequences, will you be able to warn us early enough so that we can intervene?
4. What support and extra help does the district provide for children in danger of falling behind; and would my child qualify to receive help were they in danger?

What Needs to Be in Place for Standards to Work for Latino Students?

In order for standards-based reform to work, we need to ensure that three basic supports are available to Latino students: adequate resources, fair measures and effective interventions.

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1. **Adequate resources, teacher quality, and curricula** that enable students to achieve high standards.

Adequate Resources

Hispanic students attend schools likely to have large classes, inadequate learning materials, underprepared teachers and limited access to rigorous courses in core academic subjects. These factors obviously limit the quality of education they receive and cause great concern over their ability to attain high standards.

Teacher Quality

Ensuring that all students have access to qualified teachers is particularly difficult. According to a teacher education expert, although teachers are the most important variable affecting student achievement,

> [M]ost teachers are not prepared or supported to ensure that students achieve the new higher standards. This is compounded by the fact that the least qualified teachers are in our poorest and most needy schools. Teachers are also less qualified to work with students who speak another language at home, despite the fact that such students represent one out of five children.—Ana Maria Schuhmann, dean of the School of Education, Kean University, in Union, New Jersey

Over the next several years, the nation will have to hire more than two million teachers to replace those in the profession who are leaving through retirement or attrition and to meet the needs of an expanding student population. Poor urban and rural districts face an even more dramatic shortage of qualified teachers. Further complicating this shortage, the nation also faces severe shortages of teachers who specialize in math, science and special education. In addition to needing qualified teachers in key academic subject areas, students also need access to teachers who are litereate in students' native languages and can introduce aspects of their cultures into the learning program.

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In conjunction with meeting these shortages, the nation must also improve the skills and knowledge of the three million teachers currently in the classroom.

Curricula

Researchers say that when the curriculum is well-taught, content presented in the primary language can be easily transferred to English as the students' language skills develop. But the process takes time. Research indicates that, in the early grades, the reading and writing skills of students still learning the English language are 50 percent behind students for whom English is their native language. Due to limited resources, lack of well-trained teachers and other factors of schools where Hispanic students are enrolled, English language learners must work twice as hard as native speakers because they are simultaneously learning the language and developing the ability to read. Under these conditions, many Hispanic students find it difficult to attain a quality education and as a result lag behind in their education. In fact, Hispanic high school students drop out of school at double the rate of non-Hispanics, and many attribute this to the lack of encouragement, engagement and support Latino students receive in the education system.

2. **Fair and accurate performance measures** to ascertain whether students are achieving desired results.

The clearly stated goal of standards-based instruction is that all children need to be brought to observably high levels of performance. This approach to education provides a legal, as well as pedagogic, basis for addressing the fundamental issues of fairness: instruction must focus not only on results but also on inputs. This means that disparities in academic preparation among groups of students must be recognized and the schools' ability to support all students' academic development must be guaranteed. Therefore, standards are a civil rights issue in the instruction of all children, including Latino students from low-income and language minority families.

Tests are one measure of results. However, tests are effective tools for measuring achievement with regard to standards only when used appropriately. The tools we use to make potentially life-changing decisions about an individual's educational future must be legally defensible and educationally sound.

> All tests are not created equal: You cannot begin to evaluate the soundness of any test without first understanding how the results will be used. For example, a test of Limited English Proficient students in English may be appropriate for diagnostic purposes or for informing instruction, but not appropriate for making a promotion decision based upon a determination about their math skills.—Arthur Coleman, deputy assistant secretary, Office for Civil Rights.

Over the past several decades, assessment tools have been misused. For example, they have been used to exclude students from access to rigorous course content or to make decisions about students' futures, for which the tests were not designed. The misuse of tests is a particularly salient topic for students still learning the English language or for Latino students, who are culturally different from the population on which the test was normed.

The soundness of a test cannot be evaluated without first understanding how the results will be used. For example, the results of a test of LEP students in English may be appropriate for diagnostic purposes, for informing instruction or for making placement and exit decisions regarding instructional programs (such as gifted and talented, Title I or bilingual education), but not appropriate for making a grade promotion decision.

How can we be sure that Latino students and others are tested fairly and that the results of those tests are interpreted accurately and used appropriately?

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- States and school districts need to be sure that the tests are developed, aligned, administered, interpreted, and reported fairly.
- Students should be assessed using multiple test-taking opportunities and be given time to master the content for which standards were developed before they are penalized for what they cannot demonstrate or don't know.
- There must be alignment between what is taught and what is tested.
- Testing strategies must take into account the language in which the student learned the material--a highly relevant factor in determining the language in which the student should be assessed--the technical properties of the test, administrative conditions and the intended use of the information gleaned.
- Provisions, such as adequate time, should be made to ensure that English language learners can adequately demonstrate what they know on the tests.
- Tests must be validated for the purposes for which they are used and high-stakes decisions should not be based only on one test but on multiple factors, such as multiple test scores, grades and evaluations.

Ongoing assessment should drive the process of decision making in education by helping to identify the appropriate interventions, teaching strategies, supports and other factors, to improve the education system, and to increase student achievement.

3. **Effective interventions and educational strategies** to ensure that students who are not yet meeting high standards can succeed.

A growing body of research identifies the characteristics of schools that are effective in educating minority and disadvantaged students and English language learners. One study, *Dispelling the Myth: High*

Poverty Schools Exceeding Expectations (Education Trust, 1999), analyzed survey data from 366 top-performing high-poverty elementary and secondary schools in 21 states and found six important characteristics of these schools:

- Extensive use of state and local standards to design curriculum and instruction, assess student work and evaluate teachers;
- Increased instructional time for reading and mathematics;
- Substantial investment in professional development for teachers focusing on instructional practices that help students meet academic standards;
- Comprehensive systems to monitor individual student performance and provide help to struggling students before they fall behind;
- Parental involvement in efforts to help students meet standards; and,
- Accountability programs with real consequences for adults in the school.

All of these factors taken together are far more important than any single factor for raising performance. In the rush to set high standards, policymakers cannot forget that Latino students, like other students, need comprehensive help beyond language acquisition.

To that end, in addition to developing standards-based accountability efforts, a growing number of states and school districts are funding summer school programs and special tutoring, enhancing their commitment to prepare students to perform successfully as the schools raise educational standards and eliminate social promotion.

> We need to design instructional systems that neither stigmatize children who cannot be promoted nor subject them to the same instructional experience twice. Given that academic content standards are being held constant, the way they are met and the time it takes to meet them must be allowed to vary. Robert Schwartz president, Achieve, Inc.

Lessons from Research and Experience

Many of the challenges that Hispanic young people face on standardized state assessments have largely to do with how they learn language and become literate. There is growing agreement about this process that should have a profound importance in setting testing policies. The following are several important issues to consider.

When Should English Language Learners Be Tested? Most students cannot be validly tested until they have had at least three years of exposure to English, and even in those cases research indicates that they will need additional time, repetition of directions, oral reading of questions and other accommodations until they have been determined to have truly acquired language proficiency.

In What Language Should Students Be Tested? There is a general consensus that states and districts should take into account the language of instruction in determining the language of testing. In addition, testing in Spanish or another language should not exempt students from opportunities to participate in tests administered in English. The school system must be accountable for providing students with assessments that accurately indicate what students know and are able to do in the core content areas.

If states are to test all students, they should develop benchmarks for English language acquisition that take into account the education strategies used to teach non-English speaking students as well as opportunities for students to learn the material on which they will be tested.

Can Students Be Tested More Fairly in Spanish in Some Subjects Than in Others? Research does not systematically indicate that some subjects are best tested in Spanish, although it is generally accepted that subjects such as social studies are more dependent on language than other subjects such as mathematics. But even in mathematics, many word problems could pose difficulties for students who are not native to the language of the test. In general, there is no answer or "one-size-fits-all" approach, and the use of multiple indicators will most likely yield the best description of a student's true knowledge and skills.

Any accountability system should underscore the importance of the Title I language about inclusion of broad groups of students in the regular mainstream tests across content areas. States or districts should constantly reemphasize the importance of including students in the same assessments and encourage the most accurate data collection for all students, which also entails using accommodations for students still learning English. It is important to note that institutional accountability for English language learners goes beyond just providing accommodations. Educators have the responsibility to address inclusion in the broadest sense, beginning with the development phase of the assessment system through administrating, scoring and reporting.

Can Standardized Reading Tests Be Used to Determine English Language Proficiency? Measuring reading ability and English language proficiency are two separate issues. The use of standardized tests for reading in English is not appropriate for measuring student progress in language development because the tests are created to evaluate the ability of native language speakers. In a presentation by Rebecca Kopriva and Sharon M. Saez entitled "Guide to Scoring LEP Students Open-Ended Responses" the presenters state the issue this way:

It is very important to distinguish between tests which measure English literacy (often called English language proficiency tests) and those which measure English language arts (ELA). It is true that in the early grades, much of ELA and especially reading tests are devoted to decoding etc., which are basic aspects of English literacy proficiency. However, beginning in about 4th grade and becoming increasingly so in the later grades, ELA is less about decoding or basic literacy assessment and more about literature and other aspects of language arts and advanced comprehension. For example, first, a 9th grade ELA test may very well evaluate what a student knows about Shakespeare. This is not the same as evaluating literacy for 9th graders.

ELA tests do have some literacy evaluation components. However, especially for older students, this evaluation is often of a more advanced type of literacy assessment than the evaluation of basic literacy acquisition. For instance, most ELA tests for older students (grades 5 and up) assume a certain floor level of literacy. The types of reading or other literacy components being measured in these tests, then, identify nuances in reading or literacy which are typically acquired by older students who have been reading for some time and for whom English is their first language. Evaluation of the acquisition of these nuances and skills is not the same as measuring the acquisition of basic literacy skills. A student getting a 0 on this type of ELA test may or may not have mastered basic literacy.

Confusion between assessment of language arts and assessment of literacy can also lead to unnecessary prohibition of accommodations. If basic literacy is the focus, tests should be expected to evaluate basic literacy, regardless of grade level. If ELA is the focus, some accommodations might make sense, and it should be clear that lack of mastery of advanced literacy does not mean students do not have basic literacy.

Is Gaining Reading Proficiency More Important than Keeping at Grade Level in Other Subjects? For LEP students, it is important to master English and stay on grade level with course content. If these

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are both not explicitly encouraged then it is often implicitly understood that one is more valuable than the other. This is the cycle that often leads former LEP students into lower tracked academic classes in high school, and eventually higher dropout rates. While English acquisition is very important, equally important is staying on grade level in core academic subjects.

Currently most states stress this dual goal more than in the past but still have a long way to go. In fact most educators focus only on ELA content areas, and, therefore, staying on track in the other content areas may not be seen as an equally important priority.

Model State Practices

Several states and school districts are sensitive to the concerns raised in the last section and have developed useful policies and thoughtful assessment programs that promote achievement rather than punish students.

Oregon

In 1991, Oregon enacted one of the most comprehensive standards-based reform laws in the country, requiring valid and reliable assessments of its students. The Oregon Educational Act for the 21st Century led to the development of curriculum goals, content standards, performance standards and indicators aligned with the new performance-based assessments. The system offers assessments in English and Spanish to accommodate limited English proficient Hispanic students. The tests are given in grades 3, 5, 8, and 10 so that school officials know early on what students can do and where they need assistance. Students who achieve the grade 10 performance standards in academic content areas receive a Certificate of Initial Mastery. Students who achieve grade 12 performance standards in academic content areas and achieve career-related learning standards receive a Certificate of Advanced Mastery.

To ensure the validity and reliability of the assessments, rather than translate the English test into Spanish, the state created a Spanish-language test with questions that matched the psychometric properties of the English version. The test is designed to measure student progress and diagnose areas where more help is needed. Questions that could not be matched have been dropped from both tests. Teachers can decide on a case-by-case basis which students will take the Spanish version of the test. Further, students who are not literate do not take the test.

Texas

The Texas Education Agency is using one of the most stable yet flexible assessment programs to monitor the progress of three million students in 1,042 districts served. The school accountability system, established in 1992, addresses the state's concern over the twin issues of equity and excellence for all students while also ensuring that what gets tested is what gets taught. Student performance is measured through the state's assessment system as well as on the basis of information collected from teachers. According to one state education official,

> [Texas] is committed to equity and excellence for all. In 1992, the state established a school accountability system. The system actually pulled together components that had been established earlier. Components include student assessments as well as information collected from teachers. The accountability system was designed to (a) help improve student performance, (b) help districts plan, and (c) permit flexibility in the ways districts teach the state curriculum. The 1992 system has remained stable across both Democratic and Republican administrations.—Linda Mora, assistant commissioner for accountability and assessment, Texas Department of Education

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"Testing begins in 3rd grade but students are given multiple opportunities to pass a high-stakes test," said Linda Mora. "Schools are required to offer special assistance to students who initially do not pass. Thus, intervention will be early." The high school test, she said, does have consequences—a student cannot enter college without passing it.

The accountability system was designed to help improve student performance and to help districts plan their school improvement strategies, while permitting districts greater flexibility in teaching state-mandated curricula. Individual school results on student performance are publicly reported along with attendance figures and dropout rates.

What is particularly unique about the Texas system is that, to be considered successful, a school or district must not only succeed in reaching high standards for its students as a whole but for distinct subgroups of students by race, ethnicity and socio-economic status.

Taking advantage of the state system's flexibility, Houston's school district opted to maintain its own accountability system. Under the district system, low-performing schools are required to work with targeted assistance teams dispatched from the district to help the school develop a plan of action for improving student test scores. This direct assistance is triggered automatically and is designed to provide schools with the kind of technical assistance they need to align staff development with content and performance standards, while holding local officials responsible for their students' academic success.

The system enables district officials to monitor each school's progress over time and actively intervene to improve the schools when needed. The accountability system and the targeted assistance teams have, together, enabled schools to determine the kinds of resources and staff development activities that would make the biggest difference in student learning.

Minnesota

In Minnesota, the absence of a statewide curriculum left state officials in the dark when it came to knowing the performance levels of their school districts. To remedy the problem, the state implemented a new statewide assessment system, prompting district officials to reexamine the scope and sequence of the curriculum. The state is currently developing performance-level benchmarks.

The new statewide accountability system factors in programs for economically disadvantaged students and those with limited English proficiency. A new English language skills test will be used to determine when LEP students are ready to participate in the statewide assessments, which are administered in English.

Worrisome Policies

Observers note that while model practices are being developed, some policies and practices are particularly worrisome. These include requiring English-only tests for high-stakes decisions; providing no support for students to achieve new standards and requirements; and using tests that are not aligned with what is taught and learned in school.

Typically poor policies for English language learners focus solely on making up for deficits in English language proficiency and at the same time sacrificing progress in content areas. In some cases, schools attempt to immerse students in English as a Second Language classes and nothing else, so that students do not get the content they need in academic courses. Also, some school districts use English oral proficiency as a prerequisite for important courses. Schools must not use lack of proficiency as a way to deny access to courses required for graduation requirements.

Basic Questions for Education Decisonmakers

During the White House Initiative's four policy seminars, observers noted some simple questions to use to determine how well or poorly tests work. Education leaders should be able to answer the following questions:

- Are students being afforded or denied educational opportunities based on test scores?
- Even if not used for such high-stakes purposes, do assessment systems that influence decisions about allocation of resources, interventions designed to promote better learning, and guidance provided to parents about their children's progress take into account all students?
- Are there inequities in the treatment of students or disparity in the performance of particular groups of students? What are the explanations for those disparities?
- Is the test used with other information to make high-stakes decisions or is it the sole criterion?
- Are there educationally—and psychometrically—sound foundations for the judgments made about students when those judgements are based upon test scores?

Emerging Questions

Policymakers disagree among themselves and practice and researchers are at odds in several fundamental areas of testing.

Who Should Be Tested? While many observers argue that all students count and must be counted, a new report by the Council of Chief State School Officers (CCSSO) indicates that of the 49 states with student assessments, 29 states exempt limited English proficient students from all assessments, and 11 states exempt these students from some assessments. Only four states do not allow exemptions for students with limited English abilities, according to the CCSSO.

For example, Maryland allows a one-year-only exemption from its assessment program, and Kentucky exempts students with limited English proficiency if they have been in the schools less than two years. Texas permits school districts to exempt Spanish-speaking students up to three times before requiring the assessment.

If states are allowed to decide whether or not these students should be tested, state education agencies will shy away from including all students. States and local agencies must work together to create assessments that make pedagogic and academic sense for all students.

How High Should We Set the Bar? Some states, such as New York, have introduced standards that are benchmarked to the most rigorous in the world, while others, such as Texas, have developed a means to gradually raise the rigor of their assessments.

How Should Test Scores Be Used in High-Stakes Decisions? Today, 20 states have established high-stakes assessments for students. While state policymakers appear intent on using test scores alone to determine who moves along in the education system, many observers argue that decisions about passing a student from grade to grade should not be made on a single set of test scores. Tests should be one instrument among many. Multiple indicators, including teacher judgments and evaluations, grades and other tests, can help determine if a student knows what he or she should know at a certain grade level.

The White House Initiative's Standards and Assessment Agenda
Over the next seven months, the President's Advisory Commission and the White House Initiative on Educational Excellence for Hispanic Americans will continue to build upon, inform, and contribute to the many efforts designed to promote high standards for all students, including Latinos.

In its role as adviser to the administration, the President's Advisory Commission will further explore the effects of standards on students

learning English and the impact of federal programs, such as Title I, on the achievement of Latino students. The commission will also work closely with the U.S. Department of Education's Office for Civil Rights to help ensure that ELL students are afforded educational opportunities guaranteed under federal law and that tests used to make high-stakes decisions are fair and accurate.

Beyond these efforts, the White House Initiative sees three action items for the immediate future:

- **Further examine, research and disseminate promising practices** concerning the administration, interpretation, and use of tests for English language learners. We particularly need to know more about what accommodations are most effective and what are the best practices that can help ensure valid decisions about placement, promotion, and graduation. A new tool kit for school districts seeking to better meet the needs of English Language Learners is now being developed by the Council of Chief State School Officers. This tool kit will help make best practice everyday practice in schools.

- **Promote better public awareness** about the complexities of standards-based reform initiatives and issues surrounding the use of high-stakes tests for English Language Learners. A new resource guide on high-stakes testing being developed by the U.S. Department of Education's Office for Civil Rights will create a foundation for continuing a national dialogue awareness and understanding.

- **Foster stronger engagement with state and local leaders** about the importance of using tests in ways that are valid and reliable and about the need for more equitable opportunities for Hispanic students to achieve desired results.

Researchers, educators, and leaders of the Latino community must compel state and local leaders and the public to face the reality about the growing percentage of students who are still learning English and what can be done to ensure that they not only master English but succeed in core academic courses necessary for careers and further education.

By the Authority vested in me as President by the Constitution and the laws of the United States of America, and in order to advance the development of human potential, to strengthen the Nation's capacity to provide high-quality education, and to increase the opportunities for Hispanic Americans to participate in and benefit from Federal education programs, it is hereby ordered..."

Executive Order 12900
President Clinton, February 22, 1994

Recognizing the importance of increasing the level of educational attainment for Hispanic Americans, President Clinton established the White House Initiative on Educational Excellence for Hispanic Americans through Executive Order 12900 in September 1994. Guiding the White House Initiative is the President's Advisory Commission on Educational Excellence for Hispanic Americans, whose responsibility is to advise the president, the secretary of education and the nation on the most pressing educational needs of Hispanic Americans. The White House Initiative also provides the connection between the Commission, the White House, the federal government and the Latino community throughout the nation.

Current White House Initiative activities include initiating policy seminars, developing issue briefs, factsheets and information kits on the condition of Latinos in education, facilitating community outreach, increasing understanding and awareness of Hispanic-Serving Institutions (HSIs), and coordinating high-level efforts across the national government to improve education for Hispanics. These activities are driven by the president's request to assess:

- Hispanic educational attainment from pre-K through graduate and professional school;
- State, private sector, and community involvement in education;
- The extent to which federal activities in education complement existing efforts to increase education opportunities; and,
- Hispanic federal employment and federal recruitment strategies.

Accelerating the educational success of Hispanic Americans is among the most important keys to America's continued success. Please join us in ensuring educational excellence for all Americans.

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